

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In Re: AUTOMOTIVE PARTS
ANTITRUST LITIGATION

Case No. 12-md-02311
Honorable Marianne O. Battani

In re: CERAMIC SUBSTRATES

This Document Relates to:

All Auto Dealer Actions
All End-Payor Actions

2:16-cv-3802-MOB-MKM
2:16-cv-3803-MOB-MKM

THIS RELATES TO:

LANDERS AUTO GROUP NO. 1, INC.,
D/B/A, LANDERS TOYOTA, et al.,

Plaintiffs,

vs.

DENSO CORPORATION, et al.,

Defendants;

and

IFEOMA ADAMS, et al.,

Plaintiffs,

vs.

DENSO CORPORATION, et al.,

Defendants.

2:16-cv-12194-SJM-MKM

2:16-cv-11804-MOB-MKM

STIPULATION AND ORDER REGARDING
CLASS ACTION COMPLAINTS AND MOTIONS TO DISMISS

WHEREAS, End-Payor Plaintiffs (“EPPs”) and Auto Dealer Plaintiffs (“ADPs”) have filed the above-captioned actions (“Actions”) against the Defendants, including DENSO Corporation and DENSO International America, Inc. (“Stipulating Defendants”), alleging violations of Section 1 of the Sherman Act as well as various State antitrust, consumer protection, and unjust enrichment laws in connection with the sale of automobile Ceramic Substrates. So as to preserve both party and judicial resources, ADPs, EPPs, and Defendants DENSO Corporation and DENSO International America, Inc., (collectively, “Stipulating Parties”), by and through their undersigned counsel, stipulate to the following with respect to the Actions:

1. Counsel for Stipulating Defendants agrees to accept service of the EPP complaint, filed on May 20, 2016, and the ADP complaint, filed on June 14, 2016, on behalf of the Stipulating Defendants, in satisfaction of the requirements of Fed. R. Civ. P. 4.

2. Stipulating Parties are working to resolve several outstanding issues. As such, Stipulating Defendants’ obligation to answer, move, or otherwise respond to the operative complaint(s) shall be stayed pending resolution of these issues. Once resolved, Stipulating Parties shall meet and confer to agree upon a reasonable schedule for the filing of answers, motions, or other responses to the operative complaint(s).

3. Stipulating Parties further stipulate and agree that the entry into this stipulation by Stipulating Defendants shall not constitute a waiver of (a) any jurisdictional defenses that may be available under Rule 12 of the Federal Rules of Civil Procedure, (b) any affirmative defenses under Rule 8 of the Federal Rules of Civil Procedure or (c) any other statutory or common law defenses that may be available to Stipulating Defendants in this or any other related actions

concerning ceramic substrates, except sufficiency of process and sufficiency of service of process. Stipulating Defendants expressly reserve the right to raise any such defenses (or any other defense) in response to (a) the current Complaint or any other amended and/or consolidated complaint that may be filed on behalf of any of the ADPs or EPPs, and/or (b) any complaint that may be filed in any related action concerning ceramic substrates.

IT IS SO ORDERED.

Date: August 10, 2016

s/Marianne O. Battani
MARIANNE O. BATTANI
United States District Judge

STIPULATED TO AND APPROVED BY:

Dated: July 8, 2016

/s/ Steven F. Cherry

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Dated: July 8, 2016

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Dated: July 8, 2016

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